

The Applicants have made amendments to the independent claims as appropriate.

Further the Applicants have submitted new dependent claims 24 to 30. These claims cover features which are applicable to significant inventive aspects. Further new independent claims 31 to 33 are submitted. These are modeled after claims 8, 13 and 19 but are directed to regenerated leather, and not leather per se. Claims 34 to 36 are dependant claims relating to spraying the regenerated leather with a leather like scent.

A regenerated leather is constituted by leather scrap pieces which are mixed up and pressed so as to obtain a new leather sheet that is obviously not as "pure" as natural leather. Rather, regenerated leather normally looks like a poor material, just as a second hand cloth compared to a tuxedo. More so, there is no indefiniteness in this term. Anyone skilled in the art would know that regenerated leather is not a leather sheet. Also, Webster's Collegiate Dictionary, 10<sup>th</sup> Edition defines "regenerate" to be "formed again", "reform", "formed or created again", or "to restore to the original strength and property". With this general understanding it is clear that the term "regenerated leather" can be clearly understood by a person skilled in the art reading the application.

Also it should be clear that leather or regenerated as used is a natural product, and not an artificial product, such as artificial leather. The Applicants see no need to add "natural" to the claims, since this should be apparent. It clearly distinguishes art which does not relate to leather and/or regenerated leather, which are the subject of the present claims.

The Applicants have found that the application of a polyethylene coating to a regenerated leather sheet greatly improves the properties and the appearance of regenerated leather. Tests have shown that if the coating is provided of a leather scent, it is almost impossible to distinguish the regenerated leather with the PE coating from a natural leather sheet, without coating. This is significant technical advance. The ability to use what would otherwise be scraps and raise it the technical and appearance quality of a natural leather sheet, is an important advance in the art. Clearly the claims relating to regenerated leather are patentable over the cited art.

More so the claims relate to applying a **film** to the material. Independent claims 8 and 31 require an embossed film. Claims 24 and 26 more clearly define the film layer concept and

that the process of creating the composite material is not effected by an extruding process. These features are not remotely taught in the prior art, for reasons set out more fully below. The Applicants traverse the rejection of the claims over the cited art.

It appears that the Examiner may not have considered these features in the claims as previously submitted, and now further are clarified and/or amplified in the new claims.

Schwartz relates to laminating a polyolefin resin onto a polyurethane foam. At col. 5, lines 25 to 30, Schwartz mentions USP 3,402,086 (Smith) that, in the opinion of the Examiner, discloses a substrate such as leather provided with an extruded coating. Smith relates to that the **extruded** application of a copolymer of ethylene and an  $\alpha$ - $\beta$ -ethylenically unsaturated monocarboxylic acid. This is effected by **extrusion**. A leather substrate is merely mentioned as a possibility (col. 2, lines 32 to 36). Smith discloses 5 examples wherein 4 examples use a substrate that is aluminum. The fifth example is a Kraft paper. No evidence at all is given that the method can be carried out on leather or regenerated leather. Furthermore, Smith does not claim the method as applied on leather. There would appear to be no real technical basis for this Smith **extruded** technology working on leather.

Moreover, an analysis of both Schwartz and Smith reveals that the copolymer needs to be in a molten state in order to be applied as a coating on the substrate, while according to the present application as set out differently in various claims, polyethylene is applied to the leather or regenerated leather substrate as a film.

As set out in claim 26 a hot bonding is effected. This would require coupling by heat and pressure to said substrate. Neither Schwartz nor Smith disclose the coating as being used on leather or regenerated leather in the manner so claimed. In particular, Schwartz does not disclose the instant invention because it specifically refers to the application of a coating to a foam. Applying a film made of a synthetic resin to a foam in order to obtain an artificial leather is an old technique which has nothing to do with the present invention. Indeed claims 13 and 32 specifically exclude foam.

The second rejection is based on Irimon in view of Holtzman or Lockwood. Here, once again, Irimon discloses the application of polyethylene on a fibrous web (but **not on leather or regenerated leather**). The Examiner contends that it is obvious to combine Irimon and Holtzman or Lockwood (which generally disclose the manufacture of a luggage piece or a shoe), because the good properties (low moisture-vapor permeability, toughness, resistance to abrasion etc.) of polyethylene are well known from Irimon and thus it is obvious to apply a polyethylene layer to a piece of leather. This is also respectfully traversed. People buy articles made of leather or regenerated leather just because they are ... made of leather! Leather is selected (and bought) because it has a nice appearance, a leather scent, it is smooth and flexible. Nobody would ever think to "spoil" a leather article by coating it with a plastic resin!

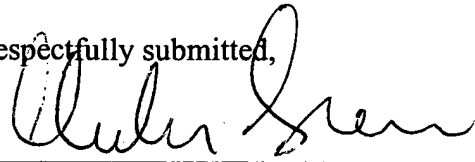
Contrary to the opinion of the Examiner, the skilled person, an expert in leather working, would be forced away from the technical solution of the present application, since it would apparently hide or destroy all the good properties of the leather article itself.

Indeed it appears that the Examiner has incorrectly considered the rejections based on inappropriate hindsight approach. After further consideration it is submitted that the Examiner should be convinced that the subject matter for which the claims are now submitted define a patentable invention, and should be allowable over the art.

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In view of the above, it is submitted that this application is now in good order for allowance, and such early action is respectfully solicited. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,



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ADDENDUM PAGES

VERSION MARKED TO REFLECT CHANGES

I. CHANGES IN THE CLAIMS

8. (Amended) A method of using a composite material, comprising:

a supporting material in the form of sheet or roll constituted by a mixture of a regenerated leather [regenerated] material[;] or natural leather[;] an embossed covering surface layer including a film in polyethylene, to provide a composite material of only two materials, the materials being the supporting material and the polyethylene film; and

the composite being for producing a product being selectively footwear [cork] soles and/or heels and/or vamps and/or toes, and/or suitcase elements spectacle-cases and/or briefcases, and/or chairs or sofas elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

9. A method as claimed in claim 8 including the step of cutting the composite material to form the product.

13. (Amended) A method of using composite material, comprising:

a supporting material in the form of sheet or roll constituted by one of the following materials[:]

a regenerated leather material or natural leather;

[or natural leather;]

a covering surface layer including a polyethylene film; [and]

[without] there being no foam between the supporting material and film[,]; and

the composite being for producing a product being selectively footwear [cork] soles and/or heels and/or vamps and/or toes, and/or suitcase elements spectacle-cases and/or briefcases, and/or chairs or sofas elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

14. A method as claimed in claim 8 including the step of cutting the composite material to form the product.

18. (Amended) A method of using composite material, comprising :  
a supporting material in the form of sheet or roll constituted by one of the following materials:

a regenerated leather material or natural leather;

[or natural leather; and]

a covering surface layer including a polyethylene film; [and]

[wherein] the supporting material [is] being directly coupled to the film; and

the composite being for producing a product being selectively footwear [cork] sole and/or heel and/or vamp and/or toe, and/or suitcase elements and/or spectacle-cases and/or briefcases, and/or chair or sofa elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

19. A method as claimed in claim 8 including the step of cutting the composite material to form the product.

24. (New) A method of claim 8 including cold bonding the film layer, the film layer not being extruded directly onto the leather.

25. (New) A method of claim 8 including applying an adhesive between the film layer and the leather.

26. (New) A method of claim 8 including hot bonding the film layer, the film layer not being extruded directly onto the leather.

27. (New) A method of claim 8 including effecting the embossing on the film layer during the bonding.

28. (New) A method as claimed in claim 8 including interposing a dye stuff layer between the film layer and the leather.

29. (New) A method as claimed in claim 8 including spraying a leather like scent to the material.

30. (New) A method as claimed in claim 8 including forming a series of perforations to the composite material.

31. (New) A method of using a composite material, comprising :  
a supporting material in the form of sheet or roll constituted by a mixture of a regenerated leather material; an embossed covering surface layer including a film in polyethylene, to provide a composite material of only two materials, the materials being the supporting material and the polyethylene film; and

the composite being for producing a product being selectively footwear soles and/or heels and/or vamps and/or toes, and/or suitcase elements spectacle-cases and/or briefcases, and/or chairs or sofas elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

32. (New) A method of using composite material, comprising:  
a supporting material in the form of sheet or roll constituted by one of the following materials:

a regenerated leather material;  
a covering surface layer including a polyethylene film;  
there being no foam between the supporting material and film; and  
the composite being for producing a product being selectively footwear soles and/or heels and/or vamps and/or toes, and/or suitcase elements spectacle-cases and/or briefcases, and/or chairs or sofas elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

33. (New) A method of using composite material, comprising :  
a supporting material in the form of sheet or roll constituted by one of the following materials:

a regenerated leather material;  
a covering surface layer including a polyethylene film;  
the supporting material being directly coupled to the film; and  
the composite being for producing a product being selectively footwear sole and/or heel and/or vamp and/or toe, and/or suitcase elements and/or spectacle-cases and/or briefcases, and/or

chair or sofa elements or structures or furniture or furnishing elements, and including the step of forming the material into a shape to produce at least one of the products.

34. (New) A method as claimed in claim 31 including spraying a leather like scent to the material.

35. (New) A method as claimed in claim 32 including spraying a leather like scent to the material.

36. (New) A method as claimed in claim 33 including spraying a leather like scent to the material.